

GOTTLIEB & ASSOCIATES PLLC
ATTORNEYS

150 E. 18 St., Suite PHR, New York, NY 10003
212 228-9795 www.gottliebblaw.net

January 6, 2025

VIA ECF

The Honorable Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *Herrera v. Athletifreak LLC*
Case No.: 1:24-cv-7133

Dear Judge Failla,

The undersigned represents Edery Herrera, on behalf of himself and all other persons similarly situated ("Plaintiff") in the above referenced matter against Defendant, Athletifreak LLC, ("Defendant"). The undersigned respectfully requests that the Initial Conference scheduled for January 17, 2025, at 3:30 p.m (Dkt. 6) be adjourned for 60 days because Counsel for Defendant has not yet answered or appeared in this action. The Plaintiff also requests a 30 day extension of time for the Defendant to Answer the Complaint which is currently past due. This request will grant ample time for the Defendant to retain counsel and for Defendant's Counsel to appear and discuss a possible resolution with Plaintiff's Counsel. This is the Plaintiff's first request for an adjournment.

Respectfully submitted,

GOTTLIEB & ASSOCIATES PLLC

/s/Michael A. LaBollita, Esq.
Michael A. LaBollita, Esq.

Application GRANTED. Defendant is ORDERED to answer or otherwise respond to the complaint on or before February 6, 2025.

The conference currently scheduled for January 17, 2025, is ADJOURNED to **March 19, 2025, at 10:00 a.m.**

The dial-in information is as follows: On **March 19, 2025, at 10:00 a.m.**, the parties shall call (855) 244-8681 and enter access code 2315 780 7370.

The Clerk of Court is directed to terminate the pending motion at docket entry 8.

Dated: January 6, 2025
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE